UNITED STATES PATENT AND TRADEMARK OFFICE

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10/032,628	10/26/2001	Richard Foltak	M-11646-1C US	6807

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/032,628	FOLTAK ET AL.
	Examiner	Art Unit
	George C. Neurauter, Jr.	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>02 March 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed..

6) ☒ Claim(s) <u>1-13 and 16-25</u> is/are rejected.

7) ☒ Claim(s) <u>14 and 15</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claims 1-25 are currently presented and have been examined.

Response to Arguments

Applicant's arguments filed 2 March 2007 have been fully considered but they are not persuasive.

The Applicant continues to argue that the combined teachings of the prior art do teach or suggest the claimed invention. The Examiner is not persuaded by these remarks and maintains the views that have been previously presented.

The Applicant argues that "...there does not appear to be any motivation for one of ordinary skill in the art to modify the operation of the network access server such that the network access server would generate unique session identifiers". First, the Examiner submits that one of the basic criteria for a prima facie case of obviousness is that there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.

As the Examiner has previously submitted, the receiving AAA module is able to determine which network access server ("NAS") has sent a session identifier, therefore essentially making the session identifier unique with respect to the network access server that sends the session identifier, as admitted by the

Applicant. Since one of ordinary skill would have known or been taught by the teachings of the Applicant's admitted prior art regarding the uniqueness of the session identifier and that a NAS creates a session identifier, it would have been reasonably suggested to one of ordinary skill in the art to have the NAS create a unique session identifier in any manner since the need for the uniqueness of a session identifier is already known as taught in the Applicant's admitted prior art and to have the NAS create a generally unique session identifier.

The Applicant also argues that the prior art fails to teach or suggest wherein the session identifiers are created in a manner that prevents more than one of the network access servers from creating a same unique session identifier. The Examiner is not persuaded by these remarks. As noted previously, the claims do not specifically recite, and therefore require, any such manner that would require the session identifiers to be unique in order to operate the invention in a different manner other than for the AAA module to distinguish between network access servers as has been reasonably suggested by the references. Therefore, absent any recitation as how this method is accomplished since the claim does not recite that the network access servers have or otherwise receive <u>any knowledge</u> as to which session identifiers are currently in use or any such

specific steps so that the network access server is able to

create a session identifier so as to not overlap the other

session identifiers, such a recitation may also be interpreted

to be non-limiting since claim scope is not limited by claim

language that suggests or makes optional but does not require

steps to be performed. See MPEP 2111.04.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which

forms the basis for all obviousness rejections set forth in this

Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere*

Co., 383 U.S. 1, 148 USPQ 459 (1966), that are applied for

establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-13 and 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over "RFC 2866" in view of Applicant's admitted prior art ("AAPA").

Regarding claim 1, "RFC 2866" discloses a method for maintaining a unique session ID in a network, comprising:

creating a unique session identifier for a user, wherein the unique session identifier is created by one of a plurality of network access servers ("Acct-Session-ID"; page 3, section 1.2 "Terminology", specifically "session"; page 4, section 2 "Operation", specifically "When a client is configured to use RADIUS Accounting, at the start of service delivery it will generate an Accounting Start Packet..."; page 15, section 5.5

"Acct-Session-ID", specifically "An Accounting-Request packet

MUST have an Acct-Session-ID"); and

    providing the unique session identifier to an

Authentication, Authorization, and Accounting (AAA) module

wherein a network access server is configured to request AAA

processing from the AAA module ("RADIUS Accounting Server").

(page 4, section 2 "Operation", specifically "When a client is

configured to use RADIUS Accounting, at the start of service

delivery it will generate an Accounting Start Packet...and will

send that to the RADIUS Accounting server...")

    "RFC 2866" does not expressly disclose wherein the unique

session identifier is created in a manner that prevents more

than one of the network access servers from creating a same

unique session identifier and wherein each of the network access

servers provide the identifier to an AAA module and request AAA

processing from the AAA module, however, AAPA does disclose

wherein a session identifier is created by a plurality of

network access servers and wherein each of the network access

servers provide the identifier to an AAA module and request AAA

procession from the AAA module and that it is possible is

distinguish between network access servers based a unique

network access server identifier (page 10 of the specification,

specifically "Accordingly, it is possible for the AAA server 30a

to receive n session id values, where each of the n session id values corresponds to a different NAS 28 but is the same number. The AAA server 30a can easily handle this condition because the AAA server 30a associates each session id value with the corresponding NAS 28 based upon a unique NAS address for each NAS. Because each of these duplicative session id's is coming from a different NAS address, the AAA Server 30a can distinguish between the NAS'S 28a-28n when managing the sessions involved.")

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of these references since the Applicant admits that the undisclosed subject matter that is not taught in "RFC 2866" is taught by the prior art. Therefore, it would have been within the knowledge of one of ordinary skill in the art to combine these teachings since one of ordinary skill would have been motivated to use the knowledge generally available to those of ordinary skill to use the knowledge since both references are directed to creating session identifiers by network access servers and requesting AAA processing by an AAA module.

It further would have been obvious to modify the teachings of these combined references wherein a unique session identifier is created in a manner that prevents more than one of the network access servers from creating a same unique session

identifier since, in view of the combined teachings of these
references, the AAA server is able to distinguish network access
servers by use of a unique identifier and, in the event that a
duplicate session identifier is used by the same network access
server, the AAA server would still be able to distinguish
between the network access servers and their respective
sessions. Therefore, these teachings and suggestions would have
suggested to one of ordinary skill in the art that if the AAA
server can both distinguish between the sessions of one network
access server and also the sessions of a plurality of network
access servers and their respective sessions, the AAA server
would also be able to distinguish between sessions that contain
a session identifier that would be unique to both the network
access servers and their sessions and to create a unique session
identifier that prevents more than one network access server
from creating a same unique session identifier for the purposes
of distinguishing between sessions and also a plurality of
network access servers would have involved only routine skill in
the art.

Regarding claim 2, "RFC 2866" discloses the method recited
in Claim 1.

"RFC 2866" does not expressly disclose wherein creating a
unique session identifier further comprises appending a unique

identifier to a local session identifier, wherein the one of the network access servers generates the unique session identifier, however, "RFC 2866" does disclose a unique session identifier associated with an access server ("NAS-IP-Address"). ("Acct-Session-ID"; page 3, section 1.2 "Terminology", specifically "session"; page 4, section 2 "Operation", specifically "When a client is configured to use RADIUS Accounting, at the start of service delivery it will generate an Accounting Start Packet..."; page 15, section 5.5 "Acct-Session-ID", specifically "An Accounting-Request packet MUST have an Acct-Session-ID").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to append a unique identifier associated with an access server to a local session identifier since "RFC 2866" suggests that any sort of method of generating a unique session identifier may be used (page 16, section 5.5 "Acct-Session-ID", specifically "Other encodings are possible"). AAPA discloses that both the AAA server and the NAS are aware of a unique identifier such as the NAS address and a local session identifier such as a Session ID. The generation by a NAS of a unique session identifier by appending a unique identifier such as the NAS address to a local session identifier such as the session ID or a port as noted previously by the Examiner would have been obvious to one of ordinary skill in the

art since the NAS is aware of these identifiers and, since the

prior art teaches that the NAS provides a session ID to the AAA

server, appending a known identifier to another known identifier

in order to produce a unique session identifier would have been

obvious to one of ordinary skill in the art.

Therefore, one of ordinary skill would have found it

obvious to append a local session identifier to a unique

identifier to create a unique session identifier as claimed

given the teachings and suggestions of "RFC 2866" and the

knowledge of one of ordinary skill in the art as admitted by the

Applicant.

Regarding claim 3, "RFC 2866" and AAPA disclose the method

recited in Claim 2.

"RFC 2866" discloses wherein the unique identifier is an IP

address of the one of the network access servers. ("NAS-IP-

Address")

Regarding claim 4, "RFC 2866" and AAPA disclose the method

recited in Claim 1.

"RFC 2866" discloses the method further comprising

providing the unique session identifier to an off-load server

("forwarding server"). (pages 4 and 5, section 2.3, "Proxy",

specifically "1. The NAS sends an accounting-request to the

forwarding server"; pages 15-16, section 5.5, "Acct-Session-Id",

specifically "An Accounting-Request packet MUST have an Acct-Session-Id")

Regarding claim 5, "RFC 2866" and AAPA disclose the method recited in Claim 1.

"RFC 2866" does not expressly disclose wherein creating a unique session identifier further comprises creating a unique session identifier for the plurality of network access servers, however, "RFC 2866" does disclose wherein a unique identifier is used for each of a plurality of network access servers ("NAS-IP-Address").

AAPA does expressly disclose wherein a session identifier is created by a plurality of network access servers (page 10 of the specification, specifically "Accordingly, it is possible for the AAA server 30a to receive n session id values, where each of the n session id values corresponds to a different NAS 28 but is the same number. The AAA server 30a can easily handle this condition because the AAA server 30a associates each session id value with the corresponding NAS 28 based upon a unique NAS address for each NAS. Because each of these duplicative session id's is coming from a different NAS address, the AAA Server 30a can distinguish between the NAS'S 28a-28n when managing the sessions involved.")

Claim 5 is rejected since the motivations regarding the

obviousness of claim 1 also apply to claim 5.

Regarding claim 6, "RFC 2866" discloses a system,

comprising:

a network access server ("NAS" or, alternatively "client")

wherein the network access server is configured to generate a

unique session identifier for a user; ("Acct-Session-ID"; page

3, section 1.2 "Terminology", specifically "session"; page 4,

section 2 "Operation", specifically "When a client is configured

to use RADIUS Accounting, at the start of service delivery it

will generate an Accounting Start Packet..."; page 15, section

5.5 "Acct-Session-ID", specifically "An Accounting-Request

packet MUST have an Acct-Session-ID")

wherein the network access server is configured to provide

the unique session identifier to an AAA module; and wherein the

AAA module performs AAA processing for each of the plurality of

network access servers. (page 4, section 2 "Operation",

specifically "When a client is configured to use RADIUS

Accounting, at the start of service delivery it will generate an

Accounting Start Packet...and will send that to the RADIUS

Accounting server...")

"RFC 2866" does not expressly disclose a plurality of

network access servers wherein the unique session identifier is

created in a manner that prevents more than one of the network

access servers from creating a same unique session identifier

and wherein each of the network access servers provide the

identifier to an AAA module and request AAA procession from the

AAA module, however, AAPA does disclose wherein a session

identifier is created by a plurality of network access servers

and wherein each of the network access servers provide the

identifier to an AAA module and request AAA procession from the

AAA module and that it is possible is distinguish between

network access servers based a unique network access server

identifier (page 10 of the specification, specifically

"Accordingly, it is possible for the AAA server 30a to receive n

session id values, where each of the n session id values

corresponds to a different NAS 28 but is the same number. The

AAA server 30a can easily handle this condition because the AAA

server 30a associates each session id value with the

corresponding NAS 28 based upon a unique NAS address for each

NAS. Because each of these duplicative session id's is coming

from a different NAS address, the AAA Server 30a can distinguish

between the NAS'S 28a-28n when managing the sessions involved.")

Claim 6 is rejected since the motivations regarding the

obviousness of claim 1 also apply to claim 6.

Regarding claim 7, "RFC 2866" discloses the system recited in Claim 6, wherein the network access server is associated with an IP address. ("NAS-IP-Address")

"RFC 2866" does not expressly disclose wherein and the unique session identifier comprises the IP address.

Claim 7 is rejected since the motivations regarding the obviousness of claim 2 also apply to claim 7.

Regarding claim 8, "RFC 2866" and AAPA disclose the system recited in Claim 6.

"RFC 2866" discloses the system further comprising: the plurality of network access servers; wherein each of the plurality of network access servers is configured to generate a unique session identifier; ("Acct-Session-ID"; page 3, section 1.2 "Terminology", specifically "session"; page 4, section 2 "Operation", specifically "When a client is configured to use RADIUS Accounting, at the start of service delivery it will generate an Accounting Start Packet..."; page 15, section 5.5 "Acct-Session-ID", specifically "An Accounting-Request packet MUST have an Acct-Session-ID")

Regarding claim 9, "RFC 2866" and AAPA disclose the system recited in Claim 6.

"RFC 2866" discloses the system further comprising an off-load server ("forwarding server"), the off-load server being

coupled to receive the unique session identifier from the
network access server. (pages 4 and 5, section 2.3, "Proxy",
specifically "1. The NAS sends an accounting-request to the
forwarding server"; pages 15-16, section 5.5, "Acct-Session-Id",
specifically "An Accounting-Request packet MUST have an Acct-
Session-Id")

Regarding claim 10, "RFC 2866" and AAPA disclose the system
recited in Claim 9.

"RFC 2866" discloses wherein the off-load server is
configured to provide the unique session identifier to the AAA
module. (pages 4 and 5, section 2.3, "Proxy", specifically "2.
The forwarding server...forwards the request to the remote
server")

Regarding claim 11, "RFC 2866" and AAPA disclose the system
recited in Claim 9.

"RFC 2866" discloses wherein the off-load server is
configured to provide the unique session identifier to the AAA
module, and the AAA module is configured to perform port
counting. (pages 4 and 5, section 2.3, "Proxy", specifically "2.
The forwarding server...forwards the request to the remote
server")

Regarding claim 12, "RFC 2866" and AAPA disclose the system
recited in Claim 6.

"RFC 2866" discloses the system further comprising the AAA

module, the AAA module being further configured to receive the

unique session identifier from the network access server. (page

4, section 2 "Operation", specifically "When a client is

configured to use RADIUS Accounting, at the start of service

delivery it will generate an Accounting Start Packet...and will

send that to the RADIUS Accounting server...")

Regarding claim 13, "RFC 2866" discloses the system recited

in Claim 6.

"RFC 2866" does not expressly disclose wherein the network

access server is further configured to generate the unique

session identifier by appending an IP address of the network

access server to a local session identifier, however, "RFC 2866"

does disclose a IP address associated with an access server

("NAS-IP-Address").

Claim 13 is rejected since the motivations regarding the

obviousness of claim 2 also apply to claim 13.

Claims 16 and 18-19 are also rejected since claims 16 and

18-19 recite an apparatus that contains substantially the same

limitations as recited in claims 1 and 3-4 respectively.

Claims 17 and 20 are also rejected since claims 17 and 20

recite an apparatus that contains substantially the same

limitations as recited in claims 2 and 5 respectively.

Claims 21 and 23-24 are also rejected since claims 21 and
23-24 recite a computer program product that contains
substantially the same limitations as recited in claims 1 and 3-
4 respectively.

Claims 22 and 25 are also rejected since claims 22 and 25
recite a computer program product that contains substantially
the same limitations as recited in claims 2 and 5 respectively.

Allowable Subject Matter

Claims 14 and 15 are objected to as being dependent upon a
rejected base claim, but would be allowable if rewritten in
independent form including all of the limitations of the base
claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the
extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action
is set to expire THREE MONTHS from the mailing date of this
action. In the event a first reply is filed within TWO MONTHS
of the mailing date of this final action and the advisory action
is not mailed until after the end of the THREE-MONTH shortened
statutory period, then the shortened statutory period will
expire on the date the advisory action is mailed, and any
extension fee pursuant to 37 CFR 1.136(a) will be calculated
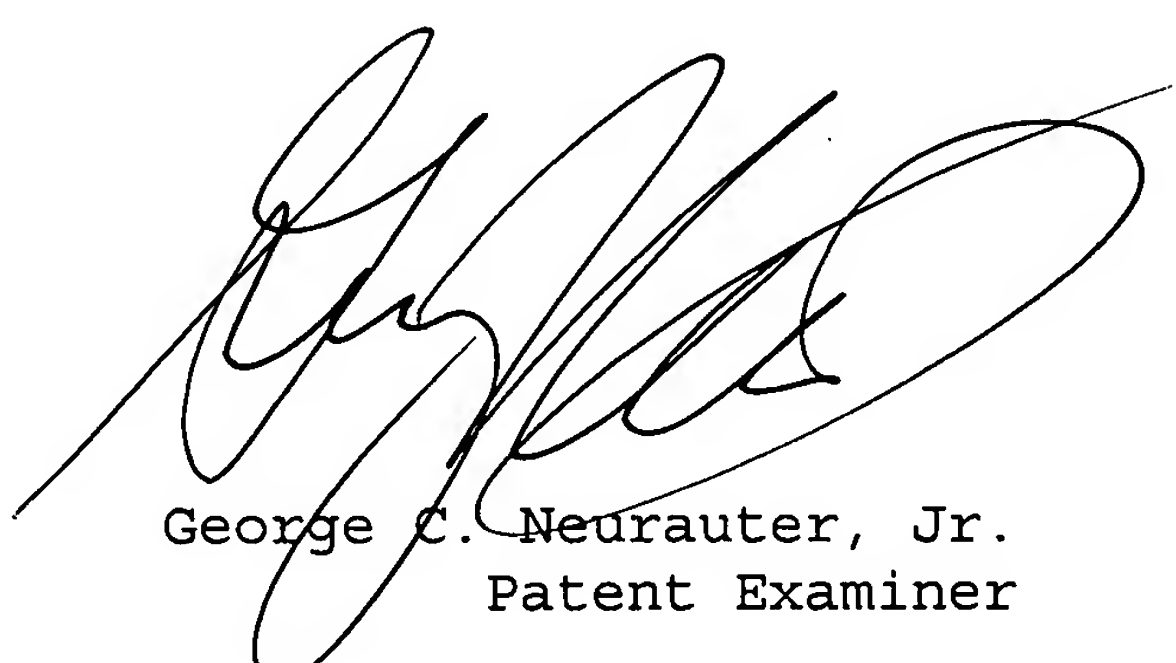
from the mailing date of the advisory action.   In no event,

however, will the statutory period for reply expire later than

SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier

communications from the examiner should be directed to George C.

Neurauter, Jr. whose telephone number is 571-272-3918.   The

examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, David Wiley, can be

reached on 571-272-3923.   The fax phone number for the

organization where this application or proceeding is assigned is

571-273-8300.

Information regarding the status of an application may be
obtained from the Patent Application Information Retrieval
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access to the automated information system, call 800-786-9199
(IN USA OR CANADA) or 571-272-1000.

George C. Neurauter, Jr.
Patent Examiner